


SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK


Jennifer H. Rearden, U.S.D.J.
Dated: February 28, 2025

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JAMES LIDESTRI,

25 Civ. 1166 (JHR)

Plaintiff,

**ATTORNEY'S
AFFIRMATION**

-V.-

AUDREY BURNS,

Defendant.
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PETER E. BRILL, ESQ., an attorney duly admitted to practice before this Court, affirms the following under penalty of perjury:

1. I am a member of the law firm BRILL LEGAL GROUP, P.C., the attorneys for Plaintiff, James Lidestri, and as such, am fully familiar with the facts and circumstances as set forth herein.

2. I submit this Affirmation in response to the Court's Order to Show Cause of February 21, 2025.

3. As noted in the attached affidavit of Plaintiff James Lidestri, he is both a citizen of the United States and of New York State who is domiciled in Dutchess County, New York.

4. As to Defendant Audrey Burns, Mr. Lidestri has previously known her to be a citizen of Oklahoma, and then Florida.

5. Based upon her Facebook profile, which is currently active, attached as Exhibit 1, she claims to be a resident of Moore, Oklahoma.

6. Of course, we didn't rely on Facebook alone prior to filing this action. As a member of a national association of attorneys, I contacted a well-respected law firm in Oklahoma City, who then referred me to their preferred investigator. We engaged that investigator's services. The investigator verbally confirmed that Ms. Burns is, in fact, a citizen of

Oklahoma. The investigator told me that he would confirm that Ms. Burns physically resided at the address he had and serve her with the summons and complaint on or about February 12 to February 17. After that point, however, our communication broke down. I believe this may have been due to the subject matter of the action, but I can't be sure.

7. I was and am in the process of securing the services of a different investigator/process server in Oklahoma at this time to effect service.

8. I would respectfully request an additional two to three weeks to complete that process. In light of the Court's Order, I will also confirm that Ms. Burns is a United States citizen.

Dated: February 27, 2025
New York, New York

BRILL LEGAL GROUP, P.C.
Attorneys for Plaintiff

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